

Weare Conservation Commission
Minutes
August 13, 2003

In attendance were: Tom Carr, Andy Fulton, Mike Manna, and John Ciampi. Absent were: Pat Myers, and Ellen Dokton.

Guests included: Paul Morin of the Planning Board, Luke Hurley of G.E.S. inc., and James Coughlin, developer.

1) **Paul Morin** – addressed the Commission pertaining to drafting a minimum lot size ordinance. Paul stated that this ordinance is applicable only to a standard developed lot and not to a cluster development which assumes different regulations. Paul stated he received a memo from Tom Carr suggesting that 75% of the total lot area be contiguous upland. Discussion focused on how to best determine the 75% figure, and also how to effectively delineate the 50' minimum wetland setback. Tom suggested checking with the towns of Bedford and Brookline for comparison and to help establish a benchmark to determine minimum lot size. Paul stated that if a lot had a buildable portion along a road and a wetland divided that section from a larger section to the rear of the property, then a wetlands crossing permit would have to be successfully acquired, or, the owner would be obligated to build on the front portion. Paul suggested that the Commission devise a rough outline for calculating a minimum buildable lot size, and then the Planning Board would enhance the outline using the appropriate verbiage which would then allow the ordinance to be applied to various building plans. Paul also stated that the Commission has until December to post a zoning ordinance change. On another note, Mr. Morin mentioned that he is forming various study groups which will focus on eclectic topics as environment and wildlife management, historic sites, tax rates, etc. Paul asked Tom to submit a roster of any volunteers who may be interested in working with one or more of these study groups.

2) **Holly Hill subdivision** – James Coughlin brought the Commission up to date concerning the recent changes to this subdivision. These changes include eliminating building lots on the West side of Breed Brook; combining two lots in order to create a view shed; creation of a small parking area in order to view the “Presidentials”; utilities would be installed underground; the farm house land now consists of 3.5 acres; the number of housing units is now down to 45; a phasing plan has been devised; there is a 120' buffer from the centerline of Breed Brook; covenants have been written prohibiting ATV use on the conservation portion of the property; a “no new trails” rule will be implemented; the covenants so devised cannot be altered by a percentage majority of the lot owners.

3) **Luke Hurley** – presented the Commission with an expedited *dredge and fill* request to install a rip- rap apron impacting approximately 250 sq. ft., located off Meadow Dr. A 6' PVC drainage pipe is to be installed under Elm Rd. to drain excess water, caused by Spring high water levels or during heavy rainfall, into an adjoining wetland on the West side of Meadow Dr. John made motion to approve this project, and Mike Manna 2nd. All voted to approve.

4) **Minutes of July 9, 2003** – John Ciampi read the draft version of last months' regular meeting. Changes proposed are in section #3, under minimum lot size. The wording "Tom will recommend to the Planning Board that it include possible verbiage such as 'no more than 30% of the property can be wetland, and no more than 30% of the property can be greater than a 45 degree slope' ", shall be struck from the minutes. And in section #5, Rosedale Contracting, Inc., in the last line, the word "primary" shall be changed to "prime". Andy made motion to approve the minutes as amended, and Mike 2nd. All voted in favor to approve.

5) **Rolling Hills subdivision** – located between Colby and Barnard Hill Rds. James Coughlin is the project developer. Mr. Coughlin mentioned that the lots will be phased-in over time. Wetland impact is approximately 1500 sq. ft. Lot sizes vary from little more than two acres to 7 acres. The deed will stipulate that cutting of live vegetation is prohibited. The area of building sites does not include the surface area of the wetlands. Each lot will be provided a chart depicting soil types and percentages of each type. A future site walk is planned in conjunction with the Planning Board. Schauer Environmental is responsible for wetland delineation. This subdivision proposes to contain 50 units, and is located on tax maps 409/191, and 412/ 186 and 187.

6) **John and Jolene Mitchell** – tax map 404/59.4. Presently it is not known if a wetlands permit should be issued for a road or driveway connecting the back lot. There is no 50' setback to wetlands shown; there is a wetlands crossing of approximately 80'; an existing driveway had been constructed through a wetland on the front parcel, necessitating the owner to provide the corresponding permit number, or if no wetland application was submitted, the date of the original that preceded Wetland Bureau jurisdiction

7) **U.S. Cellular** – proposes a lot line adjustment and a cell tower, located on lots 412/242, and 412/226. The proposed tower location is on lot 226. There are no objections or concerns pertaining to this project.

8) **ATT Wireless** – proposes to install a cell tower on the back portion of Country 3 Corners, along Short St. The wetlands are delineated on the site review map, and the proposed structure is *within* the 50' setback limitation; however, Tom suggested that this concern be exempt from compliance because the subdivision predated the setback ordinance.

9) **Duck Pond subdivision** – tax map 405/62, and 408/120. Schauer Environmental Services delineated the wetlands. This project is proposing a 64 unit cluster development and is slated for Zoning Board review under article 28 section 7 of the zoning ordinance. This conceptual proposal was received with Commission disapproval because it opposes several environmental considerations, namely: the open space area is too close to Rt. 114 which would be antagonistic to wildlife habitat; the open space is fragmented, thus minimizing its suitability as a wildlife resource; the wetlands to the back of the property propose to be developed and proposed roadways constructed to cross them. The Commission feels that this area should be maintained as the open space portion of this development.

10) **Wetland Bureau Issues** – Tarand Development LLC was approved and issued under a new name, Terry and Charles Neucomb; William Boivert, comments were received and filed; Rosedale Contracting, on Hodgedon Rd., comments were received and filed; Tec Built 153 Inc.,

Collins Landing, has made contact with DES to conduct a site walk in order to insure compliance; Schauer Environmental has sent DES an update on its restoration project, and the report is that everything is going well.

11) Adjournment – John Ciampi made motion to adjourn, and Andy 2nd. All voted in favor to approve as all business was concluded.

Respectfully submitted,

John Ciampi

cc: clerk
BOS
Commission files